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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 SCOTT A. COATES,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE,
Commissioner of Social Security,

12 Defendant.

CASE NO. C07-5669 FDB


ORDER ADOPTING REPORT
AND RECOMMENDATION
REVERSING AND
REMANDING FOR FURTHER
ADMINISTRATIVE
PROCEEDINGS

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14 This matter comes before the Court on the Report and Recommendation of the Magistrate Judge
15 that the decision of the Commissioner determining Scott A. Coates to not be disabled be remanded to the
16 Commissioner for further administrative proceedings. The Commissioner has not filed an objection.

17 The Court, having reviewed Plaintiff's complaint, the Report and Recommendation of Judge J.
18 Kelley Arnold, United States Magistrate Judge, and the remaining record, does hereby find and
19 ORDER:

- 20 (1) The Court adopts the Report and Recommendation;
21 (2) the ALJ erred as described in the Report and Recommendation;
22 (3) the matter is therefore REMANDED to the administration for further consideration as
23 directed in the Report and Recommendation; and
24 (4) The Clerk is directed to send copies of this Order to Plaintiff's counsel, Defendant's counsel
25 and Magistrate Judge J. Kelley Arnold.

26 DATED this 24th day of October, 2008.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE